

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

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|-------------------------|---|--------------------------------|
| SHAWN ARMSTRONG, |) | CASE NO. 4:08CV1160 |
| |) | |
| PLAINTIFF, |) | JUDGE PETER C. ECONOMUS |
| |) | |
| V. |) | |
| |) | |
| DENNIS WATKINS, |) | ORDER |
| |) | |
| |) | |
| DEFENDANT. |) | |
| |) | |

On May 16, 2008, this Court issued an order assigning this case to Magistrate Judge James S. Gallas for general pretrial supervision (Dkt. # 3). On November 14, 2008, the Magistrate Judge issued an Interim Report and Recommendation (Dkt. # 15), recommending that the Court dismiss the unserved defendants John Mandopolous, Donald Bishop, City of Warren, Ohio, Melanie Gambill and John Does 1-4 without prejudice due to the deficiency of service of process.

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Plaintiff and Defendant have failed to timely file any such objections. Therefore, the Court must assume that Plaintiff and Defendant are satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985);

Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991);
United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Interim Report and Recommendation of Magistrate Judge Gallas (Dkt. # 15) is hereby **ADOPTED**. Defendants John Mandopolous, Donald Bishop, City of Warren, Ohio, Melanie Gambill and John Does 1-4 are hereby **DISMISSED** without prejudice.

IT IS SO ORDERED.

/s/ Peter C. Economus – December 2, 2008
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE